

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA**

TIMOTHY WADE JONES,

Plaintiff,

v.

Civil Action No. 2:07cv6

**DR. J. HAMMOND, DR. J. TENNANT,
DR. T. WARREN, DR. BRANSON,
KIMBERLY WHITE, AL HAYNES,
HARRELL WATTS, A. GERBER,**

Defendants.

ORDER

It will be recalled that on February 6, 2008, Magistrate Judge Kaull filed a Report and Recommendation, wherein the Plaintiff was directed, in accordance with 28 U.S.C. § 636(b)(1), to file with the Clerk of Court any written objections within ten (10) days after being served with a copy of the Report and Recommendation. While Plaintiff filed a Clarification of Objections on February 22, 2008, it appears that said filing relates entirely to the Magistrate's earlier Report and Recommendation of October 31, 2007, which Report and Recommendation has already been adopted by this Court. The Court finds that the Plaintiff has not raised anything new in his Clarification of Objections that would require further ruling. As for the February 6, 2008 Report and Recommendation, there does not appear to be any objections.

Upon examination of the report from the Magistrate Judge, it appears to the Court that the issues raised by the Plaintiff in his Motion for Preliminary Injunction, filed on January 7, 2008, wherein Plaintiff seeks the Court's assistance in obtaining a transfer to a federal medical facility, were thoroughly considered by Magistrate Judge

Kaull in his Report and Recommendation. Moreover, the Court, upon an independent de novo consideration of all matters now before it, is of the opinion that the Report and Recommendation accurately reflects the law applicable to the facts and circumstances before the Court in this action. Therefore, it is

ORDERED that Magistrate Judge Kaull's Report and Recommendation be, and the same hereby is, accepted in whole. Accordingly, it is

ORDERED that the Plaintiff's Motion for Preliminary Injunction shall be, and the same hereby is **DENIED**.

The Clerk of the Court is directed to transmit a copy of this Order to all parties appearing herein.

ENTER: May 27, 2008

/s/ Robert E. Maxwell
United States District Judge